

Certificate of Service

Case 15-13167 JNF

Whiz Kids Development LLC

I, Eugene M. Lamento, hereby certify that on 19th day of November, 2015, I served a copy of the within Notice of Nonevidentiary Hearing, to be held on 11/24/15 at 11:30 AM, via first class mail, postage prepaid, upon the following:

Whiz Kids Development, LLC

c/o James E. Levin, Manager

21 Illinois Street

Worcester, Ma.01601-1682

(Chapter 11 Debtor-in-possession)

Barry R. Levine, Esquire

Law Office of Barry R. Levine

100 Cummings Center, Suite 327G

Beverly, Ma. 01915-6123

(Counsel to Chapter 11 Debtor-in-possession, Whiz Kids Development, LLC)

Worcester Properties, LLC (Series L)

100 MLK Jr. Blvd

P.O. Box 646

Worcester, Ma. 01608-0646

(Creditor)

George W. Tetler, III, Esquire

Bowditch & Dewey, LLP

311 Main Street

P.O. Box 15156

Worcester, Ma. 01615-0156

(Counsel to Creditor, Worcester Properties, LLC (Series L))

Peter Heaney, d/b/a On-Site-Carpentry

306 East Street

Westwood, Ma. 02090-1921

(Interested Party)

Paula Bachtell, Esquire

Office of the United States Trustee

5 Post Office Square, Suite 1000

Boston, Ma. 02109-3924

(United States Trustee)

Carol Iancu, Esquire

Mass DEP

1 Winter Street

Boston, Ma. 02108-4779

Case 15-13167 Doc 84 Filed 11/19/15 Entered 11/19/15 15:29:22 Desc Main Document Page 3 of 4

Case 15-13167 Doc 75 Filed 11/16/15 Entered 11/16/15 14:46:46 Desc
Nonevidentiary hearing Page 1 of 1UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

Received 11/18/15

In re Whiz Kids Development, LLC

Chapter: 11

Debtor

Case No: 15-13167

Judge Joan N. Feeney

NOTICE OF NONEVIDENTIARY HEARING

PLEASE TAKE NOTICE that a HEARING will be held on 11/24/15 at 11:30 AM before the Honorable Judge Joan N. Feeney, 12th Floor, Courtroom 1, J.W. McCormack Post Office & Court House, 5 Post Office Square, Boston, MA 02109-3945 to consider the following:

[71] Motion to Alter or Amend [67] Order on Motion to Sell filed by Interested Party Eugene M. Lamento.

OBJECTION/RESPONSE DEADLINE: NOVEMBER 23, 2015 Noon

If no deadline is set, the objection/response deadline shall be governed by the Federal Rules of Bankruptcy Procedure (FRBP) and the Massachusetts Local Bankruptcy Rules (MLBR). If no objection/response is timely filed, the Court, in its discretion, may cancel the hearing and rule on the motion without a hearing or further notice. See MLBR 9013-1(f).

THE MOVING PARTY IS RESPONSIBLE FOR:

1. Serving a copy of this notice upon all parties entitled to notice forthwith; and
2. Filing a certificate of service with respect to this notice seven (7) days after the date of issuance set forth below. If the hearing date is less than seven (7) days from the date of issuance, the certificate of service must be filed no later than the time of the hearing. If the movant fails to timely file a certificate of service, the court may deny the motion without a hearing.

NOTICE TO ALL PARTIES SERVED:

1. Your rights may be affected. You should read this notice, the above referenced pleading and any related documents carefully and discuss them with your attorney, if you have one. If you do not have an attorney, you may wish to consult one.
2. Any request for a continuance **MUST** be made by **WRITTEN MOTION** filed and served at least one (1) business day prior to the hearing date. See MLBR 5071-1.
3. The above hearing shall be nonevidentiary. If, in the course of the nonevidentiary hearing, the court determines the existence of a disputed and material issue of fact, the court will schedule an evidentiary hearing. If this is a hearing under section 362, it will be a consolidated preliminary and final nonevidentiary hearing unless at the conclusion thereof the court schedules an evidentiary hearing.

Date: 11/16/15

By the Court,

Leah Kaine

Deputy Clerk

617-748-5324

Emergency Closings: To find out if the Court will be closed in case of stormy weather or other emergency, dial (617) 748-5314 or (866) 419-5695 (toll free) for a recorded message.

Ch: 11

#71 Motion filed by Interested Party Eugene M. Lamento to Alter or Amend [67] Order on Motion To Sell by Way of Additional or Amended Filings. (Ikaine, Usbc)

Granted _____ Denied _____ Approved _____ Sustained _____
Denied _____ Denied without prejudice _____ Withdrawn in open court _____ Overruled _____
OSC enforced/released _____
Continued to: _____ For: _____
Formal order/stipulation to be submitted by: _____ Date due: _____
Findings and conclusions dictated at close of hearing incorporated by reference _____
Taken under advisement: Brief(s) due _____ From _____
Response(s) due _____ From _____
Fees allowed in the amount of: \$ _____ Expenses of: \$ _____
No appearance/response by: _____

X DECISION SET OUT MORE FULLY BY COURT AS FOLLOWS:

The Court shall hear this Motion on November 24, 2015 at 11:30 am. The deadline for filing responses or objections shall be November 23, 2015 at noon. Movant shall file a copy of the Tax Collector's Deed given to movant by the City of Worcester, which deed is referenced in paragraph 1 of the Motion, no later than November 23, 2015 at noon.

IT IS SO ORDERED:

Joan N. Feeney Dated: 11/16/2015
Joan N. Feeney, U.S. Bankruptcy Judge